

REMARKS

Claims 1-2, and 5-6 stand rejected as being unpatentable citing Regan et al. (US 5651211) under 35 USC 102(b), and claims 3-4 as being unpatentable citing Regan and claims 7-8 as being unpatentable citing Regan and Carver, Sr. (US 6502347) under 35 USC 103(a). The scope of independent claim 1 has been amended by incorporating a camera, a controller and a monitoring system therein. Support for the amended language is found on pages 8 and 9 of the specification, and elsewhere throughout the specification. Based on the amended claim 1, the differences between the present invention, as claimed, and the cited references are as follows.

Amended claim 1 further comprises a camera to provide an image of the surface of the birdlime, a controller to control a speed of the winding means and a monitoring system to inform the controlling condition of the insects.

It is asserted in the office action that it would have been obvious to employ a sensor for discriminating intensity. However, it would not have been obvious to use the claimed camera as a sensor for providing the image of the surface of the birdlime and to sense the concentration of the captured flying insects on the basis of the image from the camera. The Regan '211 patent does not disclose a sensing means at all, and the amended claims further define the sensing means as the camera which effectively senses the concentration of the captured flying insects.

Using the camera as a sensing means, the capturing apparatus would be manufactured in a simple and cost-saving manner.

Further, amended claim 1 includes the monitoring system to provide information regarding a controlling condition of the flying insects by sending the image signal data of the camera to a system located in a remote location. Therefore, an observer at a remote location could receive the information of capturing the flying insects which is taken by the camera.

Regarding the monitoring system, the cited references (Regan '211; and the Regan '211 and Carver '347 patents) do not disclose or suggest the monitoring system at all. In accordance with applicant's claimed invention, information of the flying insects is sent to

the observer by the monitoring system at a remote location, and the observer analyzes the information to receive the status of the birdlime. By using the claimed monitoring system, many of the capturing apparatuses placed in different places can be managed with only a few observers. Therefore, without requiring intensive labor, the monitoring system can monitor the activity of the flying insects in different locations simultaneously, and promptly control the flying insects in the different locations.

Therefore, the invention defined in amended claim 1 cannot be derived from the cited reference and is not obvious since amended claim 1 further includes the camera and the monitoring system which are not disclosed or suggested in the cited references.

Claim 2 is amended to include the feature that the controller controls the winding means to wind the birdlime faster or slower according to the amount of the captured flying insects. As discussed above, since the invention defined in amended claim 1 cannot be derived from the cited reference and is not obvious, the invention defined in amended claim 2, dependent upon claim 1, also cannot be derived from the cited reference and is not obvious.

Further, because claims 4-8 are also dependent claims of claim 1, these claims cannot be derived from the cited reference and are not obvious.

It is submitted that all remaining claims are now of proper form and scope for allowance. Early and favorable consideration is respectfully requested.

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Respectfully submitted,

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